REMARKS

Examiner has objected to Applicant's specification as it lacked a brief summary of the invention. By this Amendment, Applicants have restored the summary as originally filed and believe that this overcomes the Examiner's objection.

Claims 1-4, 10-12, 16, 19-21, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,647,008 (Farhangi) in view of Bergher et al. ("Dolby AC-3™ and MPEG-2 Audio Decoder IC with 6-channels Output', IEE Trans. on Consumer Electronics, August 1997), Hinderks (U.S. Patent 5,706,335) and Alexander (U.S. Patent 6,259,957).

The cited references relied on by the Examiner fail to establish a *prima facie* case of obviousness as the references whether taken singularly or in combination fail to teach or suggest all the limitations in Applicant's claims. For example, Applicant's independent claim 1 requires "decoding the first audio data stream into a linear pulse code modulator format", obtaining a second audio data stream in a linear pulse code modulated format "and" combining the decoded first audio data stream with the second audio data stream, utilizing in part a linear pulse code modulated mixer, for receipt by a codec. At a minimum, the references must show the use of a linear pulse code modulated mixer for mixing two audio data streams that are in linear pulse code modulated format. None other references disclose or suggest such a mixer. Applicants have found no reference or discussion in the newly cited Alexander et al. patent, 6,259,957 which discloses or suggest that two linear pulse code modulated signals are combined by a linear pulse code modulated mixer.

Examiner has directed Applicants attention to column 8, lines 26-30 for the proposition that the Alexander reference teaches a digital processing system and method which allows for mixing a PCM data. This section of Alexander reference discusses data received from the stereo mixing section by digital mixer 307 that resulted from the mixing of PCM data received through the SDAT_OUT line of the AC 97 link 105 with the MIC1 or MIC2, LINE, CD, VIDEO, and AUX inputs of the input port 101 however, that is different from disclosing that the PCM data has been mixed with another data stream that is in PCM format. For at least this reason, Applicants believe that the rejection of Applicant's claim 1 should be withdrawn.

For the same reasons as discussed above with regards to claim 1, Applicants believe that the Examiner has failed to establish a *prima facie* case of obviousness with respect to Applicant's

claims 12 and 19. Both independent claims 12 and 19 require the combining of two audio data streams both which are in LPCM format by use of an LPCM mixer. Therefore, for at least this reason, the Examiner's rejections of Applicant's claims 12 and 19 should be withdrawn.

In view of Applicant's amendment of the specification in accordance with the Examiner's requirements, and the above remarks, Applicants believe that Applicant's independent claims 1, 12, and 19 and the claims dependent thereon are patentable over the cited art and respectfully request the Examiner withdraw rejections of Applicant's claims and pass the case to issue. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0136US).

Respectfully submitted,

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